

9/28

Roger:

These are the federal
documents to be copied
and sent to:

US EPA RECORDS CENTER REGION 5



515610

Becky A. Comstock
Dorsey & Whitney
2200 First Bank Place East
Minneapolis, MN 55402

Pursuant to Reilly Tarr's 7/14/83
request to produce there are
being sent.

David Hird wants to review
them here next week before
they go out.

Daily Ton Prod Request 7/14/83

All documents of any kind which refer or relate to:

- g. water or well water analyses after 11/81
- Testing & analysis of Pdu Chien wells from 1981
- monitoring wells, piezometers, soil borings used to evaluate g. water contamination in SLP & any soil samples & results therefrom & any water samples & analyses therefrom
- water measurements or hydrographs made in SLP
- pumping test information
- location of all monitoring wells, soil borings, etc.
- all info w/re to Franconia formation
- modeling exercises w/re to Twin Cities Basin
- all USGS soil borings
- W-13 Wilfred Percival
- phenolic data after 11/81
- MDNR pumping data
- ✓ - maps & mylars w/re to wells & borings
- piezometric surface maps
- phase II modeling work
- NGS isograph maps
- land farming
- modeling / Bon, w/le data Minnesota Creek; site maps; g.w. PAA data; list of multi-phase wells
- MPCA list of litigation from 1972
- NDH well abandonment since 1978
- water sampling procedures
- MRI soil borings
- list of all professionals & labs we used
- all documents related to the USGS well information tables



U.S. Department of Justice

SDR:DH:cw
90-7-1-21

Washington, D.C. 20530

August 12, 1983

Mr. Marc Hult
United States Geological Survey
702 Post Office Building
St. Paul, Minnesota 55101

Re: United States v. Reilly Tar & Chemical Corp. (D. Minn.)

Dear Marc:

Enclosed is the "list" of documents which Reilly claims it does not have. Reilly submitted the list in the form of a discovery demand filed with the court, which as a matter of law places the United States under an obligation to respond and produce documents to Reilly by a certain date. Reilly has agreed to give us until September 20, 1983 to produce documents.

Many of the items on the list have nothing to do with USGS; some items may have already been sent to Reilly or ERT and some items may have been sent to the MPCA to send on to Reilly. Some of the documents containing interpretive analysis, including modeling work, may be protected from discovery by Reilly, by virtue of the letters Stephen Ramsey and Donald Albin have exchanged.

After you have had an opportunity to review this list, please call me to discuss it (FTS 633-2771). You may also wish to speak with Mike Hansel.

Sincerely yours,

Assistant Attorney General
Land and Natural Resources Division

By:

David Hird, Attorney
Environmental Enforcement Section

Enclosure

cc: Robert E. Leininger, Esq.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Civil No. 4-80-469

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert L.
Humphrey, III, its Department
of Health, and its Pollution
Control Agency,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM,
INC., AND PHILIP'S INVESTMENT CO.,

REQUEST OF REILLY TAR
& CHEMICAL CORPORATION
FOR PRODUCTION OF
DOCUMENTS

Defendants,

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant,

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

TO: United States of America, plaintiff above named, and its attorneys, James M. Rosenbaum, United States Attorney, Francis X. Herman, Assistant United States Attorney, 110 South 4th Street, Minneapolis, Minnesota 55401, and David Hird, Attorney, Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530; and

State of Minnesota, plaintiff-intervenor above named, and its attorneys, Hubert H. Humphrey, III, Attorney General, State of Minnesota, William P. Donohue, Special Assistant Attorney General, Paul G. Zerby, Special Assistant Attorney General, Dennis M. Coyne, Special Assistant Attorney General and Stephen Shakman, Special Assistant Attorney General, 1935 West County Road B2, Roseville, Minnesota 55113; and

City of St. Louis Park, plaintiff-intervenor above named, and its attorneys, Wayne G. Poplar, Allen Hinderaker, Rolfe Worden, Gary Macomber, and Popham, Haik, Schnobrich, Kaufman & Doty, Ltd., 4344 IDS Center, Minneapolis, Minnesota 55402.

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, defendant Reilly Tar & Chemical Corporation requests the United States of America, the State of Minnesota, and the City of St. Louis Park to produce all materials described below for inspection and copying at the offices of Dorsey & Whitney, 2200 First Bank Place East, Minneapolis, Minnesota 55402 on or before August 25, 1983.

1. All documents of any kind which refer or relate to ground water and/or well water analyses performed after November, 1981, at the direction of the United States, the City of St. Louis Park, or the State of Minnesota, relating to raw or finished water or ground water in St. Louis Park, Hopkins, Edina, or other adjoining Minnesota communities. This request

includes but is not limited to all analyses performed by the EPA and the Minnesota Department of Health as well as any round robin testing which was conducted among the various laboratories the above named parties may have employed.

2. All documents of any kind which refer or relate to the testing and analysis of Prairie du Chien wells in the St. Louis Park area from 1981 to the present, including round robin tests done by various laboratories the above-named parties may have employed.

3. All documents of any kind which refer or relate to any monitoring well, piezometer and/or soil boring used in evaluating any ground water contamination in St. Louis Park, Minnesota. This request includes but is not limited to any geologic, geophysical, sampling, installation, and/or drillers logs.

4. All documents of any kind which refer or relate to soil samples collected from any of the wells, piezometers and soil borings mentioned in request number 3. Also provide any analytical results of chemical analyses done on the above samples.

5. All documents of any kind which refer or relate to water samples collected from any of the wells, piezometers and soil borings mentioned in request number 3. Also provide any analytical results of chemical analyses done on the above samples.

6. All documents of any kind not previously produced, which refer or relate to any water level measurements or measured hydrographs made in any of the monitoring wells and/or piezometers in St. Louis Park which represent static levels, or at least water levels in response to the normal hydrologic flow.

7. All documents of any kind which refer or relate to any water level measurements made in any of the monitoring wells and/or piezometers in St. Louis Park in conjunction with pumping or aquifer tests, designed to show the effects of pumping a well at a known discharge rate on water levels in the pumping well and nearby observation wells over time. Included in this request are pumping times, discharge rates, water level measurements before, during and after pumping, the time water level measurements were made, and specifically which wells were involved. Summaries of these data are also requested, including drawdown-recovery curves.

8. All documents of any kind which refer or relate to the location, measuring point and ground surface elevation of all monitoring wells, piezometers, and/or soil borings in St. Louis Park. This request may be satisfied by providing a tabulation of latitude, longitude and measuring point and/or ground surface elevation for all monitoring wells, piezometers, and/or soil borings in St. Louis Park, other than those listed in Table I of the 1981 U.S.G.S. report, sufficient to locate the wells for sampling.

9. All documents of any kind which refer or relate to vertical and horizontal transmissivities and other aquifer parameters in the Franconia formation as a result of the Franconia thermal energy storage project done by the U.S.G.S. Included in this request are manuscripts, summary data and data on all hydrologic parameters which were measured for any of the strata encountered in the heat storage project.

10. All documents of any kind which refer or relate to any modeling exercises, water resource studies, and/or basic investigations, having any data relating to the bedrock hydrologic structure known as the Twin Cities Basin. Specific characteristics requested are thickness, areal distribution, storativity, vertical and/or horizontal transmissivity, porosity, and hydraulic conductivity.

11. All U.S.G.S. soil boring logs from 1978 to the present.

12. All documents of any kind which refer or relate to the detailed analysis of Well 13 by Wilfred Percinel.

13. All documents of any kind which refer or relate to phenolics data collected after November, 1981. Included in this request is a table of phenolics data for W13, P14 and others compiled by Don Goerlitz.

14. All documents of any kind which refer or relate to records of pumping withdrawals by wells in St. Louis Park and adjoining communities compiled by the Minnesota Department of Natural Resources.

15. All maps and mylar map overlays of St. Louis Park and Hopkin wells and borings.

16. All documents of any kind which refer or relate to Piezometric surface maps for bedrock units. Included in this request is a report by Michael Shoneberg on this subject.

17. All manuscripts or progress reports on Phase II modeling work by D.C. Gilles and any other documents which continue the work reported by J.H. Gura, D.I. Siegel and D.C. Gillies in 1982, "Preliminary Evaluation of the Ground-Water Flow System in the Twin Cities Metropolitan Area, Minnesota." U.S.G.S. Water Resources Investigation 82-44.

18. All isopach maps by the Minnesota Geological Survey (transmissivity maps).

19. All documents of any kind which refer or relate to land farming studies done on any property in St. Louis Park.

20. All documents of any kind which refer or relate to modeling work done by Barr; water quality data from Minnehaha Creek; Hickok's list of multi-aquifer wells; ground water P_W data; and site maps.

21. Any documents which list or reflect a list of litigation undertaken by the Minnesota Pollution Control Agency during 1972, 1973, and all subsequent years to the present date.

22. All documents of any kind which refer or relate to Minnesota Department of Health well abandonments in St. Louis Park since 1978. This request includes but is not

limited to geophysical and/or other well logs for these abandoned wells, water quality analyses and any tabulated data or reports summarizing or describing the well abandonment program.

23. All documents of any kind which refer or relate to water or soil sampling procedures used to obtain samples in St. Louis Park, Hopkins, Edina, or other adjoining Minnesota communities.

24. All documents of any kind which refer or relate to locations and identifications of soil borings that were sampled by MRI, including but not limited to any location and identification maps.

25. All documents which list or reflect a list of consultants, laboratories and professional and/or para-professional personnel employed or used to study and/or analyze the soil and groundwater problems in St. Louis Park, Hopkins, Edina, or other adjoining Minnesota communities.

26. All documents requested to be identified in the Interrogatories of Reilly Tar & Chemical Corporation to the City of St. Louis Park, dated July 8, 1983.

27. All documents of any kind which refer or relate to the tables of well information found in the U.S.G.S. report by Hult & Schoneberg, Preliminary evaluation of Ground-Water Contamination by Coal-Tar derivatives, Saint Louis Park Area, Minnesota (open file report 81-72). This request includes but

is not limited to all working papers from which those tables were compiled. Also requested are all documents of any kind which provide similar data on piezometers in St. Louis Park as well as documents which continue or update the details in Tables 1 and 3 of the above report.

Dated:

Dorsey 14, 1983

DORSEY & WHITNEY

By

Edward J. Schwartzbauer

Edward J. Schwartzbauer

Decky A. Comstock

Michael J. Wahoske

James E. Dorsey, III

2200 First Bank Place East

Minneapolis, Minnesota 55402

Telephone: (612) 340-2825

Attorneys for Reilly Tar &
Chemical Corporation

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